

# Views from the Bench

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Carlyn Hicks, Hinds County Court Judge, Subdistrict One



# At the Shelter Hearing

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- ✓ Does the Court have jurisdiction?
- ✓ Has an ICWA analysis been conducted by the agency?
- ✓ Does probable cause exist?
- ✓ Who are the parties? Names, Addresses
- ✓ What reasonable efforts were made to prevent the removal?

# At the Adjudication Hearing

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- Have the parties been served?
  - With a copy of the petition?
  - Was the petition signed?
- Did CPS prepare the Adjudication Summary in advance of court?
- First Calls vs Trials
- Rules of Evidence Apply
- On questioning children...
- Did the GAL interview the child, the parties, any ancillary contacts?
- Did the agency conduct a thorough investigation?
- Burden of proof: preponderance of the evidence



# At the Disposition Hearing

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- MUST BE A SEPARATE PROCEEDING ON THE RECORD
- What are the placement options?
- Is the current temporary placement working?
- What are some remedies to address what caused the adjudication?
- What are the safety considerations with visitation?
- **The Court needs to know the terms of the Service Agreement**

# At the Permanency Hearing

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- Are the parties present?
- What is the permanent plan? Concurrent plan?
- What Reasonable Efforts were made to assist the family in achieving the permanent plan? Concurrent plan?
- What barriers exist, if any?
- Does the family need more time, if so, why?



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